

Technology Licensing Office



Massachusetts Institute of Technology  
Five Cambridge Center, Kendall Square, Building NE25-230  
Cambridge, Massachusetts 02142-1493

Phone 617-253-6966  
Fax 617-258-6790  
<http://web.mit.edu/tlo>

RECEIVED

JUL 30 2009

OFFICE OF PETITIONS

July 24, 2009

Michael Bangura  
Examiner  
Maintenance Fee Branch  
United States Patent and Trademark Office  
2051 Jamieson Avenue, Suite 300  
Alexandria, VA 22314

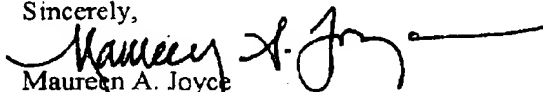
Subject: **Deficiency Maintenance Fee Payments for  
U.S. Patent Numbers: 6939632; 6937350; 6939850;  
6881560; 6291321; 6943968; and 6281015**

Dear Examiner Bangura,

Kindly reference the attached documents. We initially attempted to apply a supplemental maintenance fee payment as reflected via the attached Maintenance Fee Transmittal Forms (2) dated June 3, 2009. Subsequently, we received your Notice of Non-Acceptance of Patent Maintenance Fee for each patent referenced. Upon receipt I spoke with you directly and you advised to re-submit payment and annotate accordingly the additional payment. As such, I respectfully request your consideration for the Deficiency Payment under 37 C.F.R. § 1.28 (c) for each of the above-referenced payments.

Please let me know if you require anything additional of me. I thank you for your time and consideration with this effort.

Sincerely,

  
Maureen A. Joyce  
MIT Technical Licensing Office

RECEIVED

JUN 03 2009 4:21PM Technology Licensing Offi 617 258 6790

JUL 3 2009

## OFFICE OF PETITIONS

PTO/SB/45 (03-09)

Approved for use through 03/31/2012. CMB 0651-0018

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## MAINTENANCE FEE TRANSMITTAL FORM

(Do not submit this form electronically via EFS-Web)

Address for:  
Director of the United States  
Patent and Trademark Office  
Attn: Maintenance Fee  
2051 Jamieson Avenue, Suite 300  
Alexandria, VA 22314

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on June 3, 2009.

Signature 

Typed or printed name Daniel O'Brien

- OR -

Fax to: 671-273-6500

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☐ A check for the amount of \$ \_\_\_\_\_ for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
2. ☐ Payment by credit card. Form PTO-2038 is enclosed.
3. ☒ The Director is hereby authorized to charge \$ \$3,950.00 to cover the payment of the fee(s) indicated below to Deposit Account No. 182553.
4. ☒ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 182553.

\* Information required by 37 CFR 1.366(c) (columns 1 &amp; 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, &amp; 5).

Item	Patent Number Column 1	U.S. Application Number (e.g., 09/553,635) Column 2	Maintenance Fee Amount (37 CFR 1.20(e)-(g)) Column 3	Surcharge Amount (37 CFR 1.20(h)) Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6939832	09/823139	\$490.00		<input checked="" type="checkbox"/>		3-6-09
2	6281015	08/358235	\$1,240.00			<input checked="" type="checkbox"/>	3-2-09
3	8943968	10/423670	\$490.00		<input checked="" type="checkbox"/>		7-11-09
4	8291321	09/285018	\$1,240.00			<input checked="" type="checkbox"/>	3-3-09
5	6881560	10/341214	\$490.00		<input checked="" type="checkbox"/>		1-11-09

Subtotals: Columns 3 &amp; 4

\$3,950.00

Total Payment

\$3,950.00

☐ additional sheets attached for listing additional patents.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, "

Customer's Signature

Customer's Name Daniel O'Brien

Telephone: 617.258.7148

Registration Number, if applicable: \_\_\_\_\_

Fax: 617.258.6790

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

\*\* WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.368. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED

Jun '03 2009 4:21PM Technology Licensing Offi 617 258 6790

JUL 3 2009

OFFICE OF PETITIONS

PTO/SB/45 (03-08)

Approved for use through 03/31/2012. OMB 0851-0018

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**MAINTENANCE FEE TRANSMITTAL FORM**

(Do not submit this form electronically via EFS-Web)

Address to:  
Director of the United States  
Patent and Trademark Office  
Attn: Maintenance Fee  
2051 Jamieson Avenue, Suite 300  
Alexandria, VA 22314

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on June 3, 2009

Signature 

Typed or printed name Daniel O'Brien

- OR -

Fax to: 671-273-6500

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☐ A check for the amount of \$ \_\_\_\_\_ for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
2. ☐ Payment by credit card. Form PTO-2038 is enclosed.
3. ☒ The Director is hereby authorized to charge \$ 980.00 to cover the payment of the fee(s) indicated below to Deposit Account No. 192553
4. ☒ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposits Account No. 192553

\* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5).

Item	Patent Number* Column 1	U.S. Application Number* (e.g., 09/565,555) Column 2	Maintenance Fee Amount (37 CFR 1.20(e)-(g)) Column 3	Surcharge Amount (37 CFR 1.20(h)) Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6939850	09/888243	\$490.00		<input checked="" type="checkbox"/>		
2	6937350	10/180679	\$490.00		<input checked="" type="checkbox"/>		
3							
4							
5							

Subtotals: Columns 3 & 4 \$980.00

Total Payment \$980.00

☐ additional sheets attached for listing additional patents.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, ~

Customer's Signature 

Customer's Name Daniel O'Brien

Registration Number, if applicable: \_\_\_\_\_

Telephone: 617.258.7148

Fax: 617.258.6790

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.383.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.368. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

**PATENT****MIT Case Number: 6075H****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED****JUL 30 2009****OFFICE OF PETITIONS**

**Applicant:** Massachusetts Institute of Technology  
**Serial No.:** 09/888243  
**Filed:** 22-Jun-2001  
**Patent No.:** 6939850  
**Issued:** 06-Sep-2005  
**Title:** ALTERED HUMAN INTERLEUKIN-1BETA CONVERTASE (ICE), NEDD-2,  
 AND C. ELEGANS CED-3 POLYPEPTIDES AND USES THEREFOR

**DEFICIENCY PAYMENT UNDER 37 C.F.R. § 1.28 (c)**

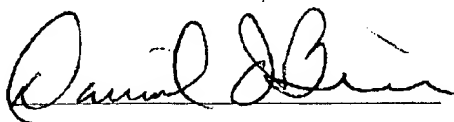
Applicant had previously established in good faith status as a small entity and paid maintenance fee as such. It was subsequently discovered that such status was established in error. Applicant submits herewith a deficiency payment of \$490.00, which represents the deficiency owed for the referenced maintenance fee. The deficient payment is itemized as follows:

Type of Fee	Date	Small Entity Fee Paid	Current Large Entity Fee	Deficiency
4th Year Maintenance Fee	March 6, 2009	\$490.00	\$980.00	\$490.00

The Office is hereby authorized to charge \$490.00 to Deposit Account No. 192553 in payment of the above-referenced deficiencies.

If there are any additional charges, or any credits, please apply them to Deposit Account No. 192553.

Respectfully submitted,



Daniel O'Brien, Intellectual Property Manager  
 Massachusetts Institute of Technology  
 Technology Licensing Office  
 Five Cambridge Center, Kendall Square  
 Cambridge, Massachusetts 02142-1493  
 617.258.7148 (Telephone)  
 617.258.6790 (Fax)

Date: July 24, 2009

07/28/2009 MBANGURA 00000032 192553 6939850

01 FC:1559 490.00 DA

PTO-2142 (09-05)



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

DANIEL O'BRIEN  
MASSACHUSETTS INSTITUTE OF TECH.  
PATENT ADMINISTRATOR TECH OFFICE  
77 MASSACHUSETTS AVE.  
CAMBRIDGE, MA 02139

JUL 30 2009

OFFICE OF PETITIONS

June 5, 2009

NOTICE OF NON-ACCEPTANCE OF PATENT MAINTENANCE FEE

REGARDING PATENT NUMBER: 6939850

PAYMENT STATUS:

Payment Amount Received: \$ 490.00  
Payment Year 3.5 (e.g., 3.5, 7.5, 11.5)

No charge was applied to your deposit account.

PAYMENT RECEIPT DATE 06/03/2009  
(Mailroom Date Stamp)

Your payment was not accepted for the following reason(s):

- ☒ 1. The maintenance fee for the above-identified patent was previously paid on 03/06/2009.  
☒ Information regarding the previous payment is stated in item 8 below.
- ☐ 2. The patent expired on \_\_\_\_\_. See "Patent Expiration" section below.
- ☐ 3. The fee was paid too early. See 37 CFR 1.366(b). Pursuant to 37 CFR 1.362(d), the payment window will open for the above-identified patent on \_\_\_\_\_.
- ☐ 4. Your payment was not sufficient to cover the maintenance fee and any required surcharge for the above-identified patent. An additional amount of \$ \_\_\_\_\_ is/was required.
- ☐ 5. The above-identified patent was reissued. In accordance with 37 CFR 1.366(d), the reissue patent number and reissue application number must be provided.
- ☐ 6. The payment did not include corresponding patent and application numbers, and was not specially accepted.
- ☐ 7. The above-identified patent is not subject to maintenance fees. No maintenance fees are due on utility patents filed before 12/11/80. No maintenance fees are due on design patents or on plant patents. See 37 CFR 1.362(a) and (b). (The "Resubmitting Maintenance Fee Payment" and "Patent Expiration" sections below do not apply.)
- ☒ 8. Other: PAID BY: COMPUTER PACKAGES INCORPORATION

Resubmitting Maintenance Fee Payment

The six (6) month "grace period" for paying the maintenance fee for the above-identified patent begins on \_\_\_\_\_ and ends on \_\_\_\_\_. In addition to the maintenance fee of \$ \_\_\_\_\_, a resubmitted payment filed in the USPTO during the 6 month "grace period" is required to include a surcharge of \$ \_\_\_\_\_. (See "Note" at the bottom of this Notice.)

To avoid patent expiration, the maintenance fee plus any required surcharge must be resubmitted in a manner that rectifies all of the indicated reason(s) for payment non-acceptance and *must be filed on or before the date the 6 month "grace period" ends*. Send by facsimile to the Office of Finance, Maintenance Fee Branch at (571) 273-6500, or by mail to the following address: Mail Stop M Correspondence, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450, to the attention of the individual who has signed below.

Patent Expiration

The date the six (6) month "grace period" ends becomes the expiration date of the above-identified patent if the required amount for paying the maintenance fee is not filed in the USPTO by that date. See 37 CFR 1.362(g). Expired patents may be reinstated if a petition as set forth in 37 CFR 1.378 is granted. If the above-identified patent has expired and reason number 5 or 6 above is the only reason indicated for payment non-acceptance, it is possible that the payment may be accepted if resubmitted with a petition as set forth in 37 CFR 1.377, rather than 37 CFR 1.378.

If you have any questions regarding this Notice, contact the Office of Finance, Maintenance Fee Branch at (571) 272-6500. Please ask for the individual who has signed below.

Michael Bangura (571) 272-6365  
Printed Name of USPTO Representative

[Signature]  
Signature of USPTO Representative

NOTE: All USPTO fees (including patent maintenance fees) are subject to change. If you are making a payment, visit the [www.uspto.gov](http://www.uspto.gov) website or contact the Office of Finance to verify the amount due on the date payment is to be made. A maintenance fee payment can be timely made using the certificate of mailing or transmission procedure set forth in 37 CFR 1.8.